

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: 650 FIFTH AVENUE AND
RELATED PROPERTIES

08 Civ. 10934 (LAP)

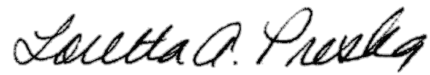
ORDER

LORETTA A. PRESKA, Senior United States District Judge:

The Court has reviewed Claimants' letter dated September 2, 2020. (See dkt. no. 2315.) The thrust of that letter is (1) that the Court's orders scheduling the Section 985(d) hearing (dkt. no. 2302) and rescheduling the Section 985(d) hearing (dkt. no. 2309) amounted to a functional denial of Claimants' motion to stay this action--including the Section 985(d) hearing--pending the parties' cross-appeals of the Court's February 13, 2020, and March 2, 2020 orders (dkt. no. 2300), and (2) that this Court's effective denial of Claimants' motion to stay means that their motion for the same stay before the Court of Appeals is properly before that court. The Court agrees. Claimants' motion to stay this action pending the parties' cross-appeals (dkt. no. 2300) is denied, and the Court considers Claimants' motion to stay to be properly before the Court of Appeals.

SO ORDERED.

Dated: New York, New York
September 3, 2020

A handwritten signature in cursive script, reading "Loretta A. Preska".

LORETTA A. PRESKA

Senior United States District Judge